



CHILD RIGHTS BULLETIN

(for the period 1 January – 31 January 2019)

Key incidents outlined in this LPHR's Child Rights Bulletin covering January 2019:

- Three Palestinian children killed in shooting incidents by Israeli forces
- Boy has skull fractured from sponge round fired at close range by Israeli border officer
- Boy strip searched and held in solitary confinement with no food or drink for 3 days
- In As Simiya (Hebron), Israeli authorities seized, for the third time, three tents serving as a school for 45 students, installed to replace a school demolished in December 2018

The key incidents and statistics outlined in this bulletin span a range of violation categories: **'Fatalities', 'Injuries', 'Settler Violence', 'Arrests and Detention', 'Interference against Education', 'Displacement and Demolitions'**. They are collated from the UN Office for the Coordination of Humanitarian Affairs (**UN OCHA**) and local human rights organisations: Defence for Children International-Palestine (**DCIP**), B'Tselem, and Military Court Watch.

This bulletin outlines the specific rights of the [United Nations Convention on the Rights of the Child \(UNCRC\)](#) that apply to the key incidents affecting Palestinian children in the occupied Palestinian territory (**oPt**). As the occupying power, Israel has legal responsibilities under international conventions, including the UNCRC, for the safety, welfare and human rights protection of civilians living in the oPt. This bulletin concludes with a Further Reading section.

LPHR gives special thanks to Lisi Freeman-Alarcon for her excellent work preparing this bulletin.

FATALITIES

Three Palestinian children were killed in the oPt in January 2019. This brings the total number of Palestinian children killed as a result of Israeli military and settler presence in the oPt since January 2016 to the end of January 2019 to [110, according to DCIP](#).

- On 11 January, [13-year-old 'Abd a-Ra'uf Salahah](#) was hit in the head by a tear gas canister fired by Israeli forces during a weekly demonstration near the perimeter fence between Gaza and Israel. 'Abd succumbed to his wounds and died three days later.



- According to an eyewitness cited by [B'Tselem](#), 'Abd was hit when he had his back to the fence. Demonstrators in Gaza have been holding protests near the fence with Israel for more than nine months, calling for the right of return and an end to the closure of Gaza.
- On 25 January, [17-year-old Ayman Ahmad Othman Hamed](#) was shot and killed by Israeli forces near Silwad village, Ramallah. A 16-year-old boy was shot and injured in the same incident. [DCIP reports](#) that Ayman was shot in the neck by Israeli forces while on a picnic with friends in the central West Bank town of Silwad. According to an eyewitness cited by DCIP, Israeli forces opened fire on the boys without warning shortly after they arrived. [According to Israeli sources](#), the boys were throwing stones at Israeli vehicles when they were shot.
 - On 30 January, an Israeli private security guard shot at close range and killed [16-year-old Samah Zuheer Ahmad Mubarak](#) at al-Zaim checkpoint, east of Jerusalem. Israeli police stated that Samah attempted to stab Israeli forces. No Israeli injuries were reported. Samah's body has been withheld by Israeli forces.

International human rights law requires that intentional lethal force be used only when absolutely unavoidable where there is a threat to life or serious injury. Where individuals allegedly carry out a criminal act, they should be apprehended in accordance with international law and afforded due process of law. However, at least two of the fatal shootings above clearly indicates use of excessive, lethal force by Israeli forces in situations not permitted by international human rights law.

Article 6(1) of the UNCRC states that every child has the inherent right to life. Part of providing meaningful protection under the UNCRC involves review of and accountability for child deaths. To fulfil its obligations under international law, it is necessary that the Government of Israel thoroughly and transparently investigate the circumstances of the above-mentioned the killings and ensures legal accountability and justice is delivered where there is criminal wrongdoing.

INJURIES

At least 41 Palestinian children were injured by Israeli forces in the West Bank during January 2019. The number of children injured in Gaza in January 2019 is unclear. Al Mezan Center for



Human Rights, a Gaza based NGO, reports that between March 2018 - 8 February 2019, 3,058 children [were injured](#) by Israeli forces during the ongoing 'Great March of Return' demonstrations in Gaza. This includes 1,426 children allegedly hit by live fire.

Injury incidents in January 2019 include:

- On 6 January 2019, an Israeli border officer fired a sponge round at a 16-year-old Palestinian boy's head from less than 10 meters away, fracturing his skull. The shot was fired without warning or justification, according to [B'Tselem's investigation](#) into the incident. The boy had been having coffee with his friend before going to school when Israeli border officers entered the town of al-Birah. The boy and his friend were reportedly peering out from behind a building when two border officers came up from a side street located to the boys' right. One officer shot the boy before firing another round in the direction of the boy's friend when he attempted to attend to the victim. Details of this incident can be found [here](#). The Israeli newspaper [Haaretz reports](#) that following emergency surgery, the boy survived but will not be able to return to school for at least one month.
- In the first two weeks of January, [an 11 year-old Palestinian boy was shot with live ammunition](#) and injured by Israeli soldiers during clashes that erupted following a raid by Israeli settlers into Urif village, Nablus. Details of the boy's injuries are unknown.

Article 3(2) of the UNCRC provides that states shall ensure children the protection and care necessary for their well-being. Shooting a child at close range in the upper body is an apparent serious violation of this fundamental legal protection, which would also violate other basic civilian protection obligations found more generally in international human rights law. Additionally, **Article 15(1) of the UNCRC** provides for the right of the child to freedom of peaceful assembly. The excessive use of force for the purposes of containing or silencing protests is a violation of these child protection rights guaranteed by the UNCRC.

SETTLER VIOLENCE

One reported instance of settler violence affecting Palestinian children in January 2019:

- [One Palestinian boy was injured](#) during stone-throwing incidents by Israeli settlers in the West Bank. Details of the boy's injuries are unknown.



In 2018, [at least 20 children](#) were injured by Israeli settlers, according to UN OCHA. The Israeli human rights organisation [Yesh Din reports](#) that incidents of violence by Israeli civilians against Palestinians and their property are a daily occurrence throughout the West Bank but these incidents are rarely investigated properly by Israeli law enforcement. [Only 3%](#) of investigations into complaints filed by Palestinians hurt by settlers lead to convictions.

Unimpeded regular occurrences of settler violence against Palestinian children suggests that **Article 3(2) of the UNCRC**, which provides that states should ensure the protection and care of children as is necessary for their well-being, is being violated. **Article 39 of the UNCRC** is also relevant in stipulating that states should take all appropriate measures to promote the physical and psychological recovery of a child victim of abuse, and that such recovery should take place in an environment which fosters the health, self-respect and dignity of the child.

ARRESTS AND DETENTION

At the end of December 2018 (the latest figures available), [203 Palestinian minors](#) were held in Israeli prisons as security detainees and prisoners, including **2 administrative detainees (where children are held without charge or trial). The use of strip searches and solitary confinement was documented in January 2019.**

- According to [testimony collected by Military Court Watch](#), on 10 January 2019, a 17-year-old boy was stopped and searched at a temporary Israeli military checkpoint. Soldiers found a swiss army knife on the boy, which he stated he uses for his work at a car wash. The boy was blindfolded and taken to a military base, where he was interrogated without prior access to a lawyer. He reports being verbally abused during the interrogation. The boy was twice strip searched. He was left in solitary confinement, in a windowless cell, for three days, where he was not given any food or drink, or access to a toilet. Details of this incident can be read [here](#).

Article 37(c) of the UNCRC states that every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. [The majority of minors are strip searched](#) on arrival at an Israeli Prison Service (IPS) facility and generally minors report feeling



humiliated by the experience. [The routine use of tactics designed to intimidate](#) and terrify Palestinian children, such as strip searching, the use of blindfolds and verbal abuse, suggests that Israel is in recurrent breach of its duty under Article 37 of the UNCRC. The arrest and detention of children also engages **Article 3(1) of the UNCRC**, which obliges states to ensure that: ‘In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration’. The use of solitary confinement would constitute a serious breach of Articles 3(1) and 37 of the UNCRC. *Please see our Further Reading section below for more on the systemic maltreatment of Palestinian children in Israeli military detention.*

INTERFERENCE AGAINST EDUCATION

Infringements on education in January 2019 included:

- [UN OCHA](#) and [The Israeli Committee against House Demolitions](#) report that on 1 January 2019, Israeli Civil Administration personnel and Israeli forces confiscated three tents that were erected by the Palestinian Ministry of Education to serve as a school in the village of As Simiya, Hebron. During the incident, five tables, 15 chairs and the latrine unit were confiscated, affecting the school’s 45 students. This is the third time Israeli forces have confiscated the school’s structures. [On 5 December 2018](#), the Israeli authorities dismantled and seized two structures to be used for the school. Three tents subsequently erected by the Palestinian Ministry of Education to replace the two confiscated structures were also seized by Israeli forces in December 2018.
- Currently, some 50 schools in the West Bank, including in East Jerusalem, are under threat of demolition, according to a [joint statement](#) issued on 30 January by the UN Humanitarian Coordinator, the UNICEF Special Representative and UNESCO. The [statement](#) pointed to the high number of incidents of education interference in or near schools in the West Bank since the beginning of the school year, stating that “these incidents are impacting children’s safe access to education”. The [statement](#) further highlights that from January to December 2018, the UN documented 111 infringements to education in the West Bank affecting 19,196 children, an average of more than two violations every week. More than half of the verified incidents involved live ammunition, tear gas, and stun grenades fired into or near schools by Israeli forces.



Article 28 of the UNCRC stipulates that education should be accessible to all children on the basis of equal opportunity, obliging Israel to ensure that children in the oPt have unrestricted access to education. The removal of facilities to be used as a school in As Simiya (Hebron) indicates a serious violation of this important access to education right provided by the UNCRC. *Please see our Further Reading section below for more on this child rights issue.*

DISPLACEMENT & DEMOLITIONS

UN OCHA documents that at least 40 Palestinian owned structures were demolished or seized in January 2019, displacing 44 people and otherwise affecting 200 others (children included).

Two donor-funded structures were seized in January 2019:

- [Israeli forces seized a residential caravan and a latrine](#) provided as humanitarian assistance in response to previous demolitions in the herding community of Imreiha, in Jenin. Four people were displaced.

In addition to demolitions and seizures:

- [UN OCHA reports that 32 members of the Sabbagh family, including six children](#), are at risk of imminent forced eviction from its home in the Sheikh Jarrah neighbourhood of East Jerusalem, following an Israeli court ruling in favour of a settler organisation claiming ownership over the land. The Sabbagh family is a Palestinian refugee family that moved into its home with UN support in the 1950s. At least 870 Palestinians, including 391 children, in East Jerusalem, are [at risk of eviction](#) due to pending cases.

Please see our Further Reading section below for more on this human rights issue.

Article 27 of the UNCRC protects children's right to a standard of living, and seeks to ensure that this standard is adequate with respect to the child's physical, mental, spiritual, moral and social development. The UNCRC further adds that State Parties are responsible for taking appropriate measures to provide assistance in respect to nutrition, clothing and housing. The actions of the Government of Israel in rendering children and their parents homeless and disrupting families' livelihoods, clearly violates both the letter and the spirit of the UNCRC.



Further Reading

The systematic mistreatment of Palestinian children in Israeli military detention

As noted in this Child Rights Bulletin, the systemic ill-treatment of Palestinian children arrested by Israeli forces is an ongoing significant human rights issue. Military Court Watch has a [comparative graph](#) that illustrates the rate of instances of specific violations during the military detention process from 2013 through to 2019.

For more on this issue, please see [LPHR's Urgent Action letter to Foreign Office Minister for the Middle East, Alistair Burt MP, of 15 January 2019](#), that requests a renewed UK government impetus to challenge the systemic mistreatment of Palestinian children in Israeli military detention. Additionally, please see [LPHR's February 2018 parliamentary briefing on children in military detention](#). The comprehensive analysis in this briefing is replicated in the [lead speech of Sarah Champion MP](#) for the parliamentary debate that took place on 7 February 2018. For detailed analysis on the use of solitary confinement, please see [LPHR's July 2017 blog here](#).

Actual and planned demolition of Palestinian educational facilities

As noted in this Child Rights Bulletin, the Israeli military authorities' systematic targeting of schools for demolition and confiscation is ongoing. Further details of the extremely troubling practice of targeting schools can be read in [LPHR's February 2017 blog, 'Children's rights implications of increased demolition and confiscation of humanitarian aid structures'](#).

Families at risk of forcible transfer in occupied East Jerusalem

As noted in this Child Rights Bulletin, Palestinian families in occupied East Jerusalem are at risk of forcible transfer due to pending eviction cases that are mainly filed by settler organisations. For more on this issue, please see [LPHR's June 2018 Q&A, 'Palestinian residents of occupied East Jerusalem at risk of forcible transfer'](#).
